

REMARKS

In the Office Action of October 7, 2003, claims 1-8 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for omitting essential steps, elements, or structural cooperative relationships of elements. Applicants have amended claim 1 in order to call for a vacuum source that creates a suction force for holding portions of the web against the rotating transfer roll. As such, Applicants respectfully submit that claims 1-8 do not suffer from any § 112 deficiencies.

In the Office Action of October 7, 2003, claims 1, 4, 5, 8-11, 13-19, and 22 were rejected under 35 U.S.C. § 102 (b) as being anticipated by Perini (U.S. Patent No. 4,487,377).

Additionally, claims 2, 3, 6, 12, 20, and 21 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Perini.

Applicants respectfully submit that claim 1 defines over Perini. Respectfully, Perini does not disclose an apparatus for severing a web that has a severing means configured to engage and separate the web in a substantially straight line along the cross direction of the web. Support for this claim amendment may be found in at least Figs. 1-3 of the drawings, and on at least page 6, lines 10-14 of Applicants' specification.

Perini discloses a web-separator 45 that extends into a channel 46 in order to separate the web (see Perini at column 6, lines 36-42). Both the channel 46 and the web-separator 45 are spirally formed in a helix in opposite

directions around their respective rolls 41 and 43 (see Perini at column 6, lines 48-50). It is therefore the case that when cutting the web, the device of Perini will create an angle tear in the web. This is due to the spiral helix configuration of the channel 46 and the web-separator 45 around their respective rolls 41, 43. The resulting web will not have a cut in a substantially straight line along the cross direction of the web, but will instead be a cut that is angled to the cross direction of the web.

Additionally, it would not have been obvious for one skilled in the art to modify the channel 46 and web separator 45 of Perini such that the cut formed in the web is in a substantially straight line along the cross direction of the web. This is because Perini explicitly teaches that the spirally formed helix configuration is preferred over other cutting configurations that are capable of cutting the web in a substantially straight line along the cross direction of the web. Perini states that the spirally formed helix configuration is desirable over other types of configurations because the spirally formed helix configuration enables the web-separator 45 and the channel 46 to be in contact at any one instant for only a short length (see Perini at column 6, lines 48-52). This type of minimal contact minimizes impact forces, separation energy, noise, and wear (see Perini at column 6, lines 52-53).

Therefore, it would not have been obvious for one skilled in the art to modify Perini such that the channel 46 and the web-separator 45 are not spirally formed in a helix. Perini explicitly states that such a configuration is advantageous, and explicitly lists benefits of this configuration over others. It

would not have been obvious for one skilled in the art to modify the configuration of Perini because doing so would eliminate the expressly described advantages of the disclosed configuration. It would not have been obvious for one skilled in the art to modify a configuration that is stated as being advantageous to another configuration that is stated as being inferior.

As such, Applicants respectfully submit that claim 1 defines over Perini and is in condition for allowance. Further, all claims which depend from claim 1 (claims 2-6 and 8) are also in condition for allowance. Their rejections being made moot due to the allowance of claim 1.

Also in the present amendment, Applicants have amended claims 9, 14, and 15 in a manner similar to, although not exact to, the amendment made to claim 1. As such, Applicants respectfully submit that claims 9, 14 and 15 define over Perini for essentially the same reasons as discussed above with respect to claim 1. Additionally, all claims which depend from claims 9 and 15 (claims 10-13 and 16-22) are also allowable. Their rejections being made moot due to the allowance of claims 9 and 15.

With the present amendment, Applicants submit that all claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the

undersigned at his convenience to resolve any remaining issues.

Respectfully submitted,

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